

From: philip a kenner <pak33@mac.com>
Date: October 16, 2008 at 9:40:56 AM EDT
To: john kaiser <johnrkaiser@gmail.com>
Subject: Re: 8224 mortgage

This is the October 16, 2008 notarized document from Kaiser to verify the additional \$500,000 he invested in the Los Frailes project...

JK:

Nice job. I will be forwarding the doc I used with Bobby to you to get signed and notarized this AM. Please fax it back to me at 646.827.0832 and then mail it to 10705 East Cactus Road, Scottsdale, AZ 85259

Thanks. Phil

On 10/16/08 6:31 AM, "john kaiser" <johnrkaiser@gmail.com> wrote:

I hit the \$500,000 mark!! jk

On Wed, Oct 15, 2008 at 3:19 PM, philip a kenner <pak33@mac.com> wrote:
FYI...

The October payment has been paid. pk

Wayne Joshua R

From: → Galoto, Matthew <Matthew.Galoto@ic.fbi.gov>
Sent: → Thursday, February 06, 2014 5:50 PM
To: → Beckmann, Diane (USANYE)
Cc: → Wayne Joshua R
Subject: FW: Frailes transfer doc
Attachments: fax_6002467.tif; ATT00001..htm

Frailes contract Kaiser signed with Kenner.

From: John Kaiser [mailto:johnrkaiser@gmail.com]
Sent: Saturday, January 28, 2012 9:55 AM
To: Galoto, Matthew
Subject: Fwd: Frailes transfer doc

Sent from my iPhone

Begin forwarded message:

From: philip a kenner <pak33@mac.com>
Date: October 16, 2008 9:49:47 AM EDT
To: john kaiser <johnrkaiser@gmail.com>
Subject: Frailes transfer doc

Please have this signed, notarized, and faxed back to me at 646.827.0832

Please mail the original (regular mail) to me at 10705 East Cactus Road, Scottsdale, AZ 85259

Thanks. Phil

Assignment of Contract for Sale and Purchase

This assignment made this 16th of October, 2008 by Philip A. Kenner ("ASSIGNOR") to John Kaiser ("ASSIGNEE").

Whereas, the assignor entered into a Contract for Sale and Purchase of eight and one third (8 1/3) percent interest in 16 Hectares located in Los Frailes, Baja California Sur, Mexico for \$500,000 USD minus any applicable transfer fees, and

Whereas, the Assignee desires to acquire a eight and one third (8 1/3) percent right, title and interest in and to the contract,

Now therefore, for good and valuable consideration, receipt of which is hereby acknowledged, the Assignor assigns to the assignee, his legal representatives, successors and assigns, all right, title and interest in the contract, including any deposit monies held in escrow under the terms of the contract.

In witness whereof, the assignor and Assignee have executed this instrument on the day and year first above written.

Philip A. Kenner ("ASSIGNOR")
By: Philip A. Kenner

John Kaiser ("ASSIGNEE")
By: John Kaiser

State of NY
County of Suffolk

Before me personally appeared John Kaiser the Assignor to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he executed the foregoing instrument for the purpose therein expressed.

WITNESS my hand and official seal, this 17th day of October, 2008.

My commission Expires: _____

Melissa D. Russo
(Signature of Notary Public)

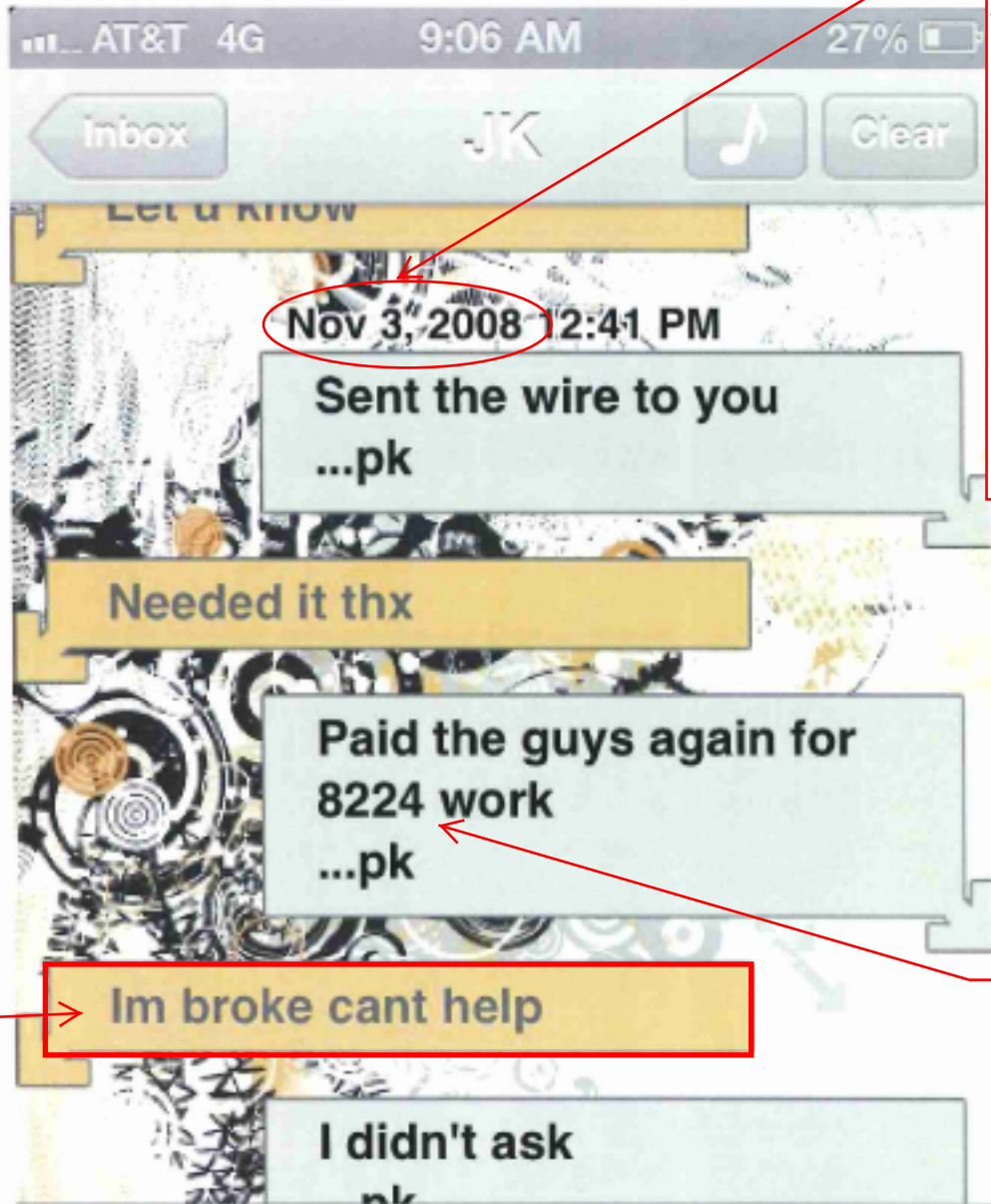
6/18/2011
Print name of Notary Public

MELISSA D. RUSSO
Notary Public, State of New York
No. 01896184368
Qualified in Suffolk County, NY 2011

ED-00002146

BX20-SD-00000235

In the possession
of the EDNY and
SDNY...

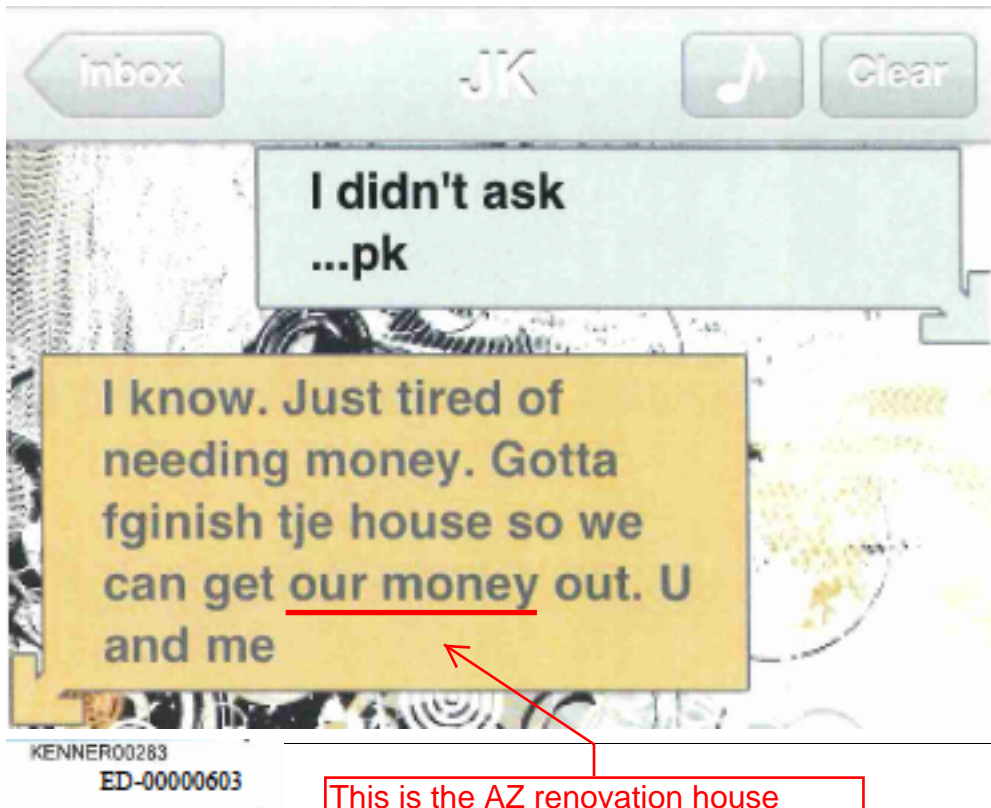


only days after Kaiser stole his friends and family money to buy the additional Frailes investment -- Kaiser confesses to Kenner that he is BROKE while Kenner is making 100% of the payments for the PV (Paradise Valley) reno project...

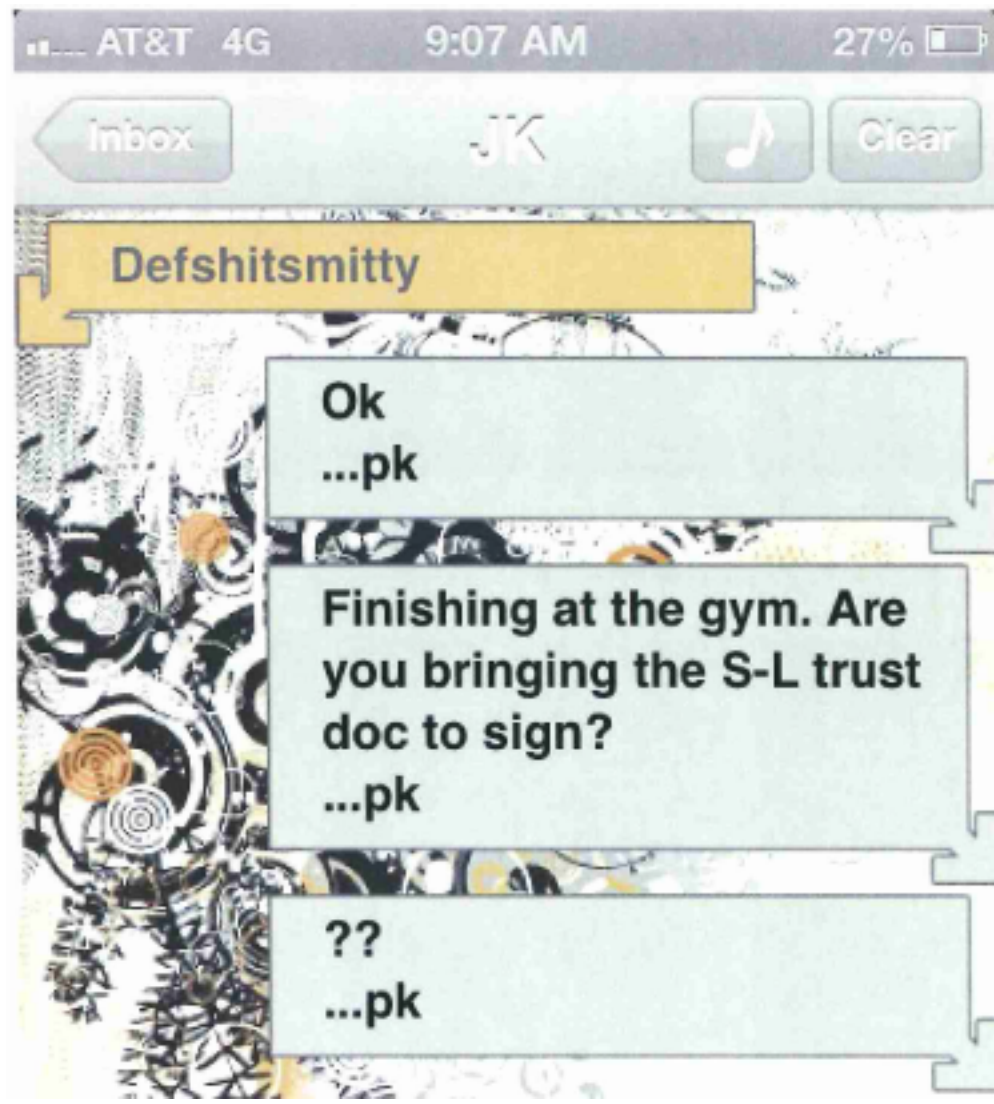
Kaiser

This is the house street ## for the Paradise Valley project...

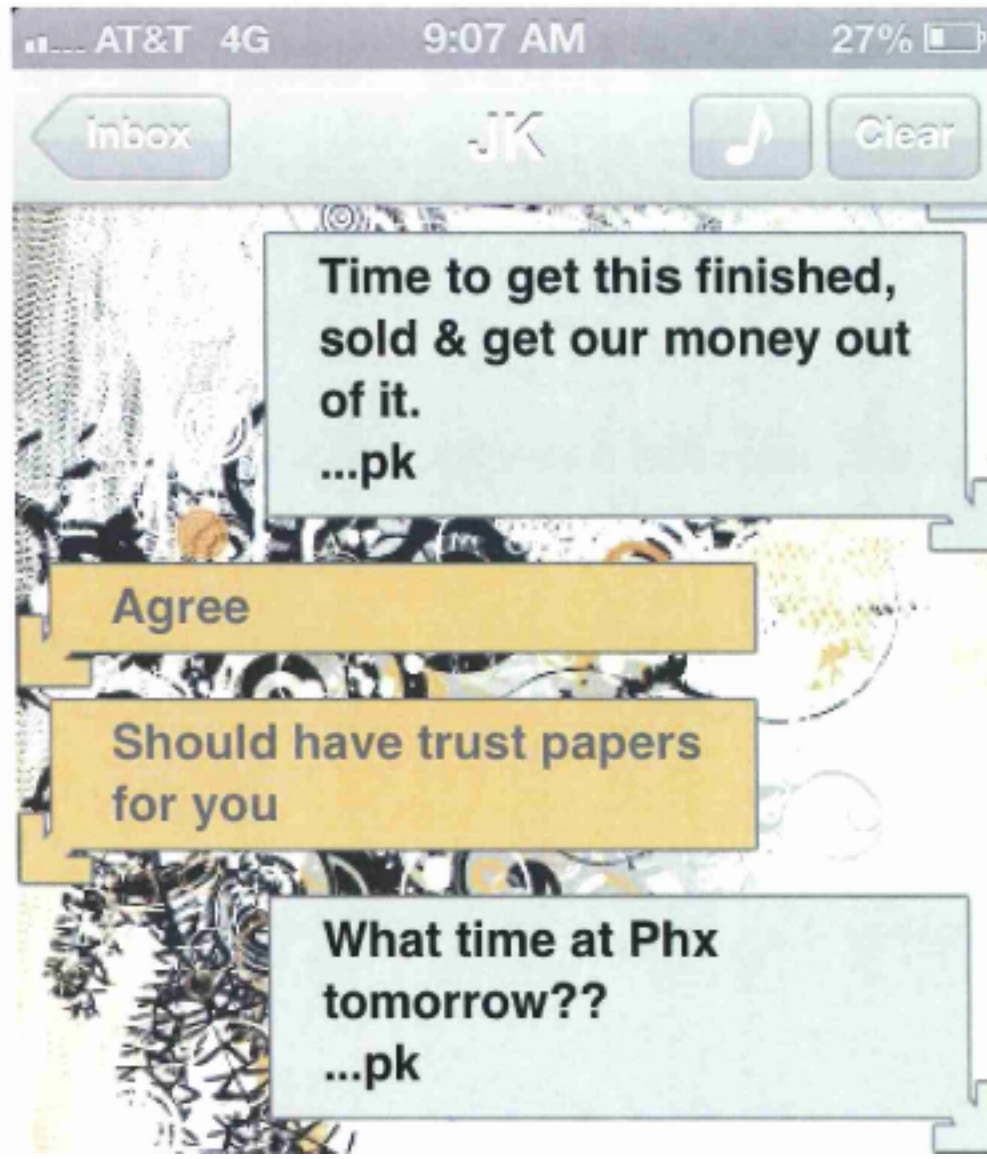
KENNER00281
ED-00000602



This is the AZ renovation house Kaiser and Berard stole thru fraudulent title conveyance in 2012 (after working with Galioto and Jowdy)--claiming Kenner had no money in the deal--again despite the \$1 million plus in documented payments...



KENNER00284
ED-00000605



KENNER000288
ED-00000606

MORE KAISER THEFT from friends & family:

Please note that Kaiser 3500 notes from page 7 on October 19, 2010 confirm that Kaiser CLAIMS that he received \$550,000 (**not \$500,000**) from:

- Keith – his handicapped brother,
- Bob (Rizzi) – NY DEA officer, and
- A doctor friend of his (Frank Sconzo)...

The handwritten notes on lined paper include the following text:

- JK = Palms Condos
- TC - new Malibu in Vegas
- invested - TC friends / 3
- 1 Keith Kaiser - brother
- 2 Bobby = police officer
- 3 and doctor friend of TC
- 2007 or 2008
- TC together
- for penthouse @ Palms
- Jay McKee
- Mike Peca
- on Note = 2 separate units
- get 15% from # - promised by TC
- closing went through TC
- TC was not involved in Palms R/E - as far as TC remembers
- went into it to buy + sell quickly

Red annotations and arrows highlight the following information:

- A red box on the right contains the text: "Confession of \$550,000 taken from his friends and family -- but telling the FBI it was for some Las Vegas investment with Constantine -- **NOT KENNER...**" with an arrow pointing to the "TC together" note.
- A red box on the right contains the text: "Doctor friend" is Frank Sconzo who Kaiser stole with an arrow pointing to the "and doctor friend of TC" note.
- A red box on the right contains the text: "Robert 'Bobby' Rizzi who shows up in court thinking Kenner stole his money..." with an arrow pointing to the "Bobby = police officer" note.
- A red arrow points from the bottom left to the "TC was not involved in Palms R/E" note.

Kaiser alleges that the funds he received were for a deal in **Las Vegas (Palms Condos - closing thru Constantine)** to the FBI - **Galioto**.

Kaiser confirms that Kenner was not involved in the Las Vegas deal...

BUT – Kaiser after sending the above email engages in the following **immediate** activity with Kenner...

Kenner emails Kaiser that he will send a document to get **SIGNED AND NOTARIZED** – at 9:40:56 AM on **October 16th** - the same morning that Kaiser tells Kenner he “**mark**”.

Then – at 9:49:47 – Kenner emails Kaiser **SUBJECT: Frailes transfer doc** (above page 2) – ONLY 9 minutes after the first response with the attachment ED-2146...

Since Kenner had NO IDEA about Kaiser telling “friends and family” about the alleged Las Vegas deal for him to raise the money...Kenner forwarded the Frailes document – as previously agreed to...

Kaiser DOES NOT claim he is CONFUSED...**but instead** – Kaiser received the TRANSFER AGREEMENT and one day later (on **October 17th, 2008**) gets it **NOTARIZED** in Suffolk County NY – and returns it to Kenner!

- See **ED-2146** above – which was previously in the Southern District evidence – BATES **BX20-SD-0235**...

To further the fraud – Kaiser forwards this information to FBI Agent Galioto in January 2012 – obviously NOT remembering the FRAUD (\$550,000 raised from friends and family) he previously COMMITTED to...see BNK-MM-0098

JOHN KAISER
7 HOLLY LANE
SETAUKET NY 11733

08/29/06

7923109990


CYCLE-009

1

*** CHECKING *** ULTRA MMDA PERSONAL
ACCOUNT NUMBER 7923109990
PREVIOUS STATEMENT BALANCE AS OF 08/17/06 00
PLUS 3 DEPOSITS AND OTHER CREDITS **550,396.17**
LESS 1 CHECKS AND OTHER DEBITS 75,000.00
CURRENT STATEMENT BALANCE AS OF 08/29/06 475,396.17
NUMBER OF DAYS IN THIS STATEMENT PERIOD 12

*** CHECKING ACCOUNT TRANSACTIONS ***

DATE	DESCRIPTION	DEBITS	CREDITS
08/18	DEPOSIT		200,000.00
08/24	DEBIT MEMO	75,000.00	
08/25	XFER FROM ACCT SV-008917526017		350,000.00
08/29	INTEREST PAYMENT		396.17



BNK-MM-00000098

Immediately after this date in 2012, Kenner sues Kaiser and Berard in AZ for the “THEFT” of the AZ renovation project.

Kaiser (& confirmed by Berard in his declaration in the AZ case – as well) CLAIM the \$500,000 was Kaiser’s contribution to the AZ renovation project (on October 21st and 30th, 2008 – with \$250,000 transfers each day)! Galioto is obviously aware of ALL Kaiser and Berard litigation – especially with Kenner – thus complicit with the Kaiser \$500,000 theft from his “**friends and family**”.

- AGAIN - Please note that Kaiser **actually received \$550,000** from his “friends and family” per Galioto’s 3500 notes – so another \$50,000 remained in Kaiser’s hands...and unaccounted for...

In addition – Galioto forwarded the information in February 2014 (after the Kenner Indictment) to the AUSA and IRS agents involved in the case – thus – highlighting the known Kaiser frauds to the AZ court...& IGNORED AGAIN!

To further confirm the Kaiser FRAUD of \$500,000 from his friends and family...4 days after the Kaiser \$500,000 for the Los Frailes purchase from Kenner was complete, Kaiser sends Kenner a text stating that he is **“IM BROKE CAN’T HELP”** ... - ED-602...

- Please note that this is in response to Kenner paying the workers (on the AZ project) the labor payroll...so if Kaiser’s \$500,000 was REALLY for the AZ renovation project as his declaration (& Berard’s claims) then why wouldn’t Kaiser state – **“I JUST SENT YOU \$500,000 FOR THE PROJECT”** – because he did NOT!

ED-603 - Kaiser then tells Kenner that he is –
“JUST TIRED of NEEDING MONEY...”

ED-606 - Finally – Kenner inquires about Kaiser bringing the SIGNED TRUST docs (Shangri-La Trust) so Kenner has a signed beneficiary doc – and Kaiser responds –
“SHOULD HAVE TRUST PAPERS FOR YOU”